

HB 2635 -- Redline

Introduced to Engrossed -- TPT; exemption; firearm storage devices

Deletions ~~struck~~ · Insertions underlined

~~REFERENCE~~House TITLE:Engrossed TPT;

~~TPT;~~

firearm storage devices State of Arizona House of Representatives Fifty-seventh Legislature First Regular Session ~~HBHOUSE BILL~~ 2635 ~~Introduced~~AN ~~by~~ACT ~~Representatives~~AMENDING ~~Gross~~SECTIONS 42-5061 AND 42-5159, ARIZONA REVISED STATUTES;

~~Biasiucci, Blackman, Bliss, Carbone, Carter P, Chaplik, Diaz, Fink, Griffin, Heap, Hendrix, Keshel, Kolodin, Kupper, Livingston, Lopez, Marshall, Martinez, Montenegro, Nguyen, Olson, Pena, Pingerelli, Rivero, Taylor, Way, Weninger, Willoughby, Wilmoth;~~

~~Senators Angius, Bolick, Carroll, Gowan, Hoffman, Leach, Payne, Rogers, Shope, Werner AN ACT AMENDING SECTIONS 42-5061 AND 42-5159, ARIZONA REVISED STATUTES;~~

(TEXT OF BILL BEGINS ON NEXT PAGE) - i - ~~HBH.B. -2635 Be it enacted by the Legislature of the State of Arizona+~~

2635 Be it enacted by the Legislature of the State of Arizona:

- 1 - ~~HBH.B. -2635 14.~~

2635 14.

Cash equivalents include gift cards, stored value cards, gift certificates, vouchers, traveler's checks, money orders or other instruments, orders or - 2 - ~~HBH.B. -2635 electronic mechanisms, such as an electronic code, personal identification number or digital payment mechanism, or any other prepaid intangible right to acquire tangible personal property, intangibles or services in the future, whether from the seller of the cash equivalent or from another person.~~

2635 electronic mechanisms, such as an electronic code, personal identification number or digital payment mechanism, or any other prepaid intangible right to acquire tangible personal property, intangibles or services in the future, whether from the seller of the cash equivalent or from another person.

- 3 - ~~HBH.B. -2635 (f) For taxable periods beginning from and after June 30, 2001, a nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code and that provides residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy, if the tangible personal property is used by the organization solely to provide residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy.~~

2635 (f) For taxable periods beginning from and after June 30, 2001, a nonprofit charitable organization that has qualified under section 501(c)(3) of the internal revenue code and that provides residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy, if the tangible personal property is used by the organization solely to provide residential apartment housing for low-income persons over sixty-two years of age in a facility that qualifies for a federal housing subsidy.

- 4 - ~~HBH.B. -2635 30.~~

2635 30.

- 5 - ~~HBH.B. -2635 36.~~

2635 36.

- 6 - ~~HBH.B. -2635 40.~~

2635 40.

- 7 - ~~HBH.B. -2635 48.~~

2635 48.

For the purposes of this paragraph, "renewable energy credit" means a unit created administratively by the corporation commission or - 8 - ~~HBH.B. -2635 governing body of a public power utility to track kilowatt hours of electricity derived from a renewable energy resource or the kilowatt hour equivalent of conventional energy resources displaced by distributed renewable energy resources.~~

2635 governing body of a public power utility to track kilowatt hours of electricity derived from a renewable energy resource or the kilowatt hour equivalent of conventional energy resources displaced by distributed renewable energy resources.

(ii) ANY DEVICE THAT, AS OF THE DATE OF THE SALE OF THE SAFE FIREARM STORAGE DEVICE, HAS BEEN SUBJECT TO A MANDATORY RECALL BY THE - 9 - ~~HBH.B. -2635 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR ITS SUCCESSOR COMMISSION.~~

2635 UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR ITS SUCCESSOR COMMISSION.

- 10 - ~~HBH.B.-2635-6-~~

2635 6.

This subdivision also applies to corporations that are not incorporated in this state, regardless of maintaining a place of business in this state, if the principal corporate office is located outside this

- 11 - ~~HBH.B.-2635 state and the property will not be used in this state other than in removing the property from this state-~~

2635 state and the property will not be used in this state other than in removing the property from this state.

Research and development do not include manufacturing quality control, routine consumer product testing, market research, sales - 12 - ~~HBH.B.-2635 promotion, sales service, research in social sciences or psychology, computer software research that is not included in the definition of research and development, or other nontechnological activities or technical services-~~

2635 promotion, sales service, research in social sciences or psychology, computer software research that is not included in the definition of research and development, or other nontechnological activities or technical services.

Machinery and equipment used directly in feeding poultry, environmentally controlling housing for poultry, moving eggs within a - 13 - ~~HBH.B.-2635 production and packaging facility or sorting or cooling eggs-~~

2635 production and packaging facility or sorting or cooling eggs.

Computer data center equipment sold to the owner, operator or qualified colocation tenant of a computer data center that is certified by - 14 - ~~HBH.B.-2635 the Arizona commerce authority under section 41-1519 or an authorized agent of the owner, operator or qualified colocation tenant during the qualification period for use in the qualified computer data center-~~

2635 the Arizona commerce authority under section 41-1519 or an authorized agent of the owner, operator or qualified colocation tenant during the qualification period for use in the qualified computer data center.

- 15 - ~~HBH.B.-2635-6-~~

2635 G.

- 16 - ~~HBH.B.-2635-4-~~

2635 4.

- 17 - ~~HBH.B.-2635-1-~~

2635 1.

In computing the tax base for the sale of a motor vehicle to a nonresident of this state, if the purchaser's state of residence allows a corresponding use tax exemption to the tax imposed by article 1 of this - 18 - ~~HBH.B.-2635 chapter and the rate of the tax in the purchaser's state of residence is lower than the rate prescribed in article 1 of this chapter or if the purchaser's state of residence does not impose an excise tax, and the nonresident has secured a special ninety day nonresident registration permit for the vehicle as prescribed by sections 28-2154 and 28-2154.01, there shall be deducted from the tax base a portion of the gross proceeds or gross income from the sale so that the amount of transaction privilege tax that is paid in this state is equal to the excise tax that is imposed by the purchaser's state of residence on the nonexempt sale or use of the motor vehicle-~~

2635 chapter and the rate of the tax in the purchaser's state of residence is lower than the rate prescribed in article 1 of this chapter or if the purchaser's state of residence does not impose an excise tax, and the nonresident has secured a special ninety day nonresident registration permit for the vehicle as prescribed by sections 28-2154 and 28-2154.01, there shall be deducted from the tax base a portion of the gross proceeds or gross income from the sale so that the amount of transaction privilege tax that is paid in this state is equal to the excise tax that is imposed by the purchaser's state of residence on the nonexempt sale or use of the motor vehicle.

"Overhead materials" means tangible personal property, the gross proceeds of sales or gross income derived from that would otherwise be included in the retail classification, and that are used or consumed in performing a contract, the cost of which is charged to an overhead expense account and allocated to various contracts based on generally accepted - 19 - ~~HBH.B.-2635 accounting principles and consistent with government contract accounting standards-~~

2635 accounting principles and consistent with government contract accounting standards.

- 20 - ~~HBH.B.-2635-6-~~

2635 6.

- 21 - ~~HBH.B.-2635-13-~~

2635 13.

- 22 - ~~HBH.B.-2635 (j) A qualifying community health center as defined in section 42-5001-~~

2635 (j) A qualifying community health center as defined in section 42-5001.

This subdivision does not apply to an organization that is owned, managed or controlled, in whole or in part, by a major league baseball team, or its owners, officers, employees or agents, or by a major league baseball association or professional golfing association, or its owners, officers, employees or agents, unless the organization conducted or operated exhibition events in this state before - 23 - ~~HBH.B. 2635 January 1, 2018 that were exempt from transaction privilege tax under section 42-5073.~~
2635 January 1, 2018 that were exempt from transaction privilege tax under section 42-5073.

Food, drink or condiment and accessory tangible personal property that are acquired for use by or provided to a school district or charter school if they are to be either served or prepared and served to - 24 - ~~HBH.B. 2635 persons for consumption on the premises of a public school in the school district or on the premises of the charter school during school hours.~~
2635 persons for consumption on the premises of a public school in the school district or on the premises of the charter school during school hours.

This paragraph does not include chemicals that are used or - 25 - ~~HBH.B. 2635 consumed in activities such as packaging, storage or transportation but does not affect any exemption for such chemicals that is otherwise provided by this section.~~

2635 consumed in activities such as packaging, storage or transportation but does not affect any exemption for such chemicals that is otherwise provided by this section.

From and after December 31, 1994, tangible personal property sold pursuant to a personal property liquidation transaction, as - 26 - ~~HBH.B. 2635 defined in section 42-5061, if the gross proceeds of the sales were included in the measure of the tax imposed by article 1 of this chapter or if the personal property liquidation was a casual activity or transaction.~~

2635 defined in section 42-5061, if the gross proceeds of the sales were included in the measure of the tax imposed by article 1 of this chapter or if the personal property liquidation was a casual activity or transaction.

Prepared food, drink or condiment donated by a restaurant as classified in section 42-5074, subsection A to a nonprofit charitable organization that has qualified under section 501(c)(3) of the internal - 27 - ~~HBH.B. 2635 revenue code and that regularly serves meals to the needy and indigent on a continuing basis at no cost.~~

2635 revenue code and that regularly serves meals to the needy and indigent on a continuing basis at no cost.

- 28 - ~~HBH.B. 2635 (b) "Indian reservation" means all lands that are within the limits of areas set aside by the United States for the exclusive use and occupancy of an Indian tribe by treaty, law or executive order and that are recognized as Indian reservations by the United States department of the interior.~~

2635 (b) "Indian reservation" means all lands that are within the limits of areas set aside by the United States for the exclusive use and occupancy of an Indian tribe by treaty, law or executive order and that are recognized as Indian reservations by the United States department of the interior.

- 29 - ~~HBH.B. 2635 (ii) ANY DEVICE THAT, AS OF THE DATE OF THE SALE OF THE SAFE FIREARM STORAGE DEVICE, HAS BEEN SUBJECT TO A MANDATORY RECALL BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR ITS SUCCESSOR COMMISSION.~~

2635 (ii) ANY DEVICE THAT, AS OF THE DATE OF THE SALE OF THE SAFE FIREARM STORAGE DEVICE, HAS BEEN SUBJECT TO A MANDATORY RECALL BY THE UNITED STATES CONSUMER PRODUCT SAFETY COMMISSION OR ITS SUCCESSOR COMMISSION.

(c) "Machinery and equipment used directly" means all machinery and equipment that are used for electric energy storage from the point of - 30 - ~~HBH.B. 2635 receipt of such energy in order to facilitate storage of the electric energy to the point where the electric energy is released.~~

2635 receipt of such energy in order to facilitate storage of the electric energy to the point where the electric energy is released.

This subdivision also applies to corporations that are not incorporated in this state, regardless of maintaining a place of business - 31 - ~~HBH.B. 2635 in this state, if the principal corporate office is located outside this state and the property will not be used in this state other than in removing the property from this state.~~

2635 in this state, if the principal corporate office is located outside this state and the property will not be used in this state other than in removing the property from this state.

Research and development do not include manufacturing - 32 - ~~HBH.B. 2635 quality control, routine consumer product testing, market research, sales promotion, sales service, research in social sciences or psychology, computer software research that is not included in the definition of research and development, or other nontechnological activities or technical services.~~

2635 quality control, routine consumer product testing, market research, sales promotion, sales service, research in social sciences or psychology, computer software research that is not included in the definition of research and development, or other nontechnological activities or technical services.

Machinery and equipment that are used directly in feeding poultry, environmentally controlling housing

for poultry, moving eggs - 33 - ~~HBH.B. 2635 within a production and packaging facility or sorting or cooling eggs.~~

2635 within a production and packaging facility or sorting or cooling eggs.

Machinery, equipment, materials and other tangible personal property used directly and predominantly to construct a qualified - 34 - ~~HBH.B. 2635 environmental technology manufacturing, producing or processing facility as described in section 41-1514.02.~~

2635 environmental technology manufacturing, producing or processing facility as described in section 41-1514.02.

- 35 - ~~HBH.B. 2635 E.~~

2635 E.

- 36 - ~~HBH.B. 2635 (iii) A business that uses at least fifty-one percent of its square footage in this state for manufacturing or smelting and business activities directly related to manufacturing or smelting.~~

2635 (iii) A business that uses at least fifty-one percent of its square footage in this state for manufacturing or smelting and business activities directly related to manufacturing or smelting.